

ATTACHMENT 7

ORDINANCE 661 REZONE PHASE II PROJECT

Summary Designation Criteria

1. Background: Rural Lands in the Land Use Element

Santa Barbara County Land Use Element (LUE) policies state the minimum lot size for the Rural Area is 40 acres.

- The Land Use and Development Code (LUDC) implements these policies through the AG-II-40, AG-II-100, and AG-II-320 zone districts.
- LUDC parcels within the study area are currently zoned either AG-II-40 or AG-II-100.

2. Summary of Phase I Options (Phase I approved in 2007):

- The 5th district Advisory Committee, working with Long Range Planning staff, initially developed two rezone options (Option 1 and Option 2) that were presented to the public for review and comment.
- Option 1 was weighted towards rezoning parcels to AG-II-40
- Option 2 was weighted towards rezoning parcels to AG-II-100 where the application of the criteria is not clearly ascertained for a given region.
- Public comments from public workshops were forwarded to the Advisory Committee and several adjustments were incorporated.
- The Advisory Committee's final recommendation to select Option 1 was included as the project description in the draft Negative Declaration.

3. What zoning for which Parcels: Ordinance 661 Rezone Designation Criteria - Phase II

The project is a "consistency rezone" to rezone remaining Ordinance 661 lands to comparable zone districts in the current zoning ordinance (LUDC). The proposed rezones seek to avoid "spot zoning" by evaluating existing land use patterns based on physical and topographic characteristics, as well as existing Comprehensive Plan land use designation and LUDC zoning designation patterns, rather than analyzing each parcel on a case-by-case basis.

- Criteria for rezone to AG-II-40:
 1. Parcel is in the Rural Area;
 2. Parcel is designated as either Prime, Statewide Importance or Unique Farmland according to the Department of Conservation important farmlands map;
 3. If fallow, the parcel is located in a larger area with prime soils and existing cultivation;
 4. Parcel is adjacent to or within an area currently zoned AG-II-40; and
 5. Parcel size is generally less than 80 acres.

[Note: If larger than 80 acres, the parcel meets criteria #2 and #4 and is in full cultivation.]

Criteria #5 is a particularly important criterion for determining whether a parcel should be rezoned to AG-II-40 or AG-II-100. Since the project is a "consistency rezone" and not a *defacto* subdivision, larger parcels greater than 80 acres would need to exhibit characteristics (prime soils, fully planted in vineyards or other cultivation) that would indicate potential agricultural viability if parcels are subdivided down to 40-acre lots in the future.

- Criteria for rezone to AG-II-100:
 1. Parcel is in the Rural Area;

2. Parcel is not designated as Prime, Statewide Importance or Unique Farmland;
[Note: If parcel is designated Prime, Statewide Importance or Unique Farmland, it also meets criteria #3 and #5]
 3. Parcel is adjacent to or within an area currently zoned AG-II-100;
 4. Parcel size generally greater than 80 acres; and
[Note: If parcel size is less than 80 acres, the parcel meets criteria #2 and #5]
 5. Parcel is located in geographic region consisting primarily of non-prime grazing land or open land with rolling hills to steeper slopes.
- Criteria for rezone to AG-I:
 1. Parcel is in the Rural Area;
 2. Parcel meets Existing Developed Rural Neighborhood (EDRN) criteria;
 3. Parcel is adjacent to similarly situated developed parcels; and
 4. Parcel size is generally less than 40 acres.
 - Criteria for rezone to RMZ (Resource Management):
 1. Parcel is constrained by average slopes in excess of 40%, including isolated table lands and valleys surrounded by slopes excluding 40%;
 2. Parcel does not contain important farmland and has no evidence of historic agriculture use; and
 3. Parcel ownership may be public or private landowner.
 - Criteria for rezone to RMZ-320
 1. Parcel is located in the Los Padres National Forest;
 2. Parcel is constrained by steep slopes;
 3. Parcel is owned by a Public Agency; and
 4. Parcel does not contain important farmland.
- 4. Decision-maker Rezone Adjustment for Individual Parcels:**
- Property owners may request that decision makers revise the Ordinance 661 Consistency Rezone project description to change their proposed zoning designation from AG-II-100 to AG-II-40.
 - Decision makers should evaluate such requests against the listed rezone criteria above, particularly criteria #5 for potential rezones to AG-II-40.
 - Rezone changes for individual parcels not meeting the rezone criteria could result in increased subdivision potential and agricultural resource impacts, which will not be evaluated in the project negative declaration. Therefore, rezone changes to the project description *may* be beyond the scope of the environmental review appropriate for a negative declaration.
 - Staff anticipates preparation of a Negative Declaration (ND) which reflects the *minimal change* in development potential associated with the proposed consistency rezone.
 - Staff recommends that planning and policy considerations having the potential to increase development within a given area are more appropriate for a future Community/Area Plan update rather than the current focused consistency rezone effort directed by the Board of Supervisors.